

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JOSEPH CHARLES BOYLE and  
SANDRA KAY BAKER,**

**Defendants.**

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**Civil Action No. 7:17-cv-00030-O-BP**

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States' Motion to Apply Proceeds of Sale (ECF No. 17), with Appendix in Support (ECF No. 18), both filed on June 23, 2017. After review of the pleadings and the Final Closing Statement, the undersigned RECOMMENDS that United States District Judge Reed O'Connor GRANT the United States' Motion to Apply Proceeds of Sale (ECF No. 17). Additionally, the undersigned RECOMMENDS that Judge O'Connor order that the proceeds from the sale of the real property at 512 North Bois D'Arc Street, Holliday, Texas 76366 be applied first to the payment of closing costs, local real and personal property taxes and fees, and the Receiver's commission and expenses, as set forth in the Final Closing Statement. The remainder of the proceeds should be ordered to be paid to the Clerk of the Court and applied to the unpaid restitution debt of Joseph Charles Boyle in the related case of *United States v. Joseph Charles Boyle*, No. 7:15-CR-00019-O (N.D. Tex.).

A copy of this findings, conclusions, and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this findings, conclusions, and

recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b)(1). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's findings, conclusions, and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).

Signed on June 26, 2017.

  
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Hal R. Ray, Jr.  
UNITED STATES MAGISTRATE JUDGE